

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of: Cullinan : Examiner: Gary Chapman Hoge
Serial No.: 10/775,000 :
Filed: February 9, 2004 : Art Unit: 3611
For: Menu System :

REPLY TO CORRECT ERROR IN FORM PTOL-85

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Sir:

In response to the suggestion of Markus at the electronic filing business center, a new version of PTOL-85 is hereby submitted. The error came about as a result of check boxes 4b. Payment of Fee(s). In form PTOL-85, the box "Payment by credit card. Form PTO-2038 is attached." was not checked since the Issue Fee was being paid by credit card but Form PTO-2038 was not attached in view of the PTO warning that such form contains credit card information that is likely to become publically available. In view of the fact that this was a "first time" electronic payment of the issue fee using the electronic filing system. After obtaining validation of the Issue Fee Payment (PTO-85) and the Fee Worksheet, the EBS was contacted about credit card submission. Jason advised me that on pressing the "submit" button, I would be able to pay the fees. On getting to the fee payment sheet, it was found that it was not possible to correct the error on PTO-85, i.e., the failure to check the Payment by credit card box in 4b. As a result, the fees were paid by e-Filer (credit card) with an incorrect submission of form PTO-85. The attached form is a corrected version of PTO-85 in which the Payment by Credit Card box in 4b is checked but Form PTO-2018 is indicated as not being attached but rather that the fees were paid by e-Filer. Also the correct electronic signature form is used.

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Applicant(s): Cullinan
Docket No.: **D546.5.1CIP**

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If any questions should arise with respect to the above remarks or if it would in any way expedite the prosecution of this case, applicant's attorney would appreciate a phone call at (614) 562-4280.

Respectfully submitted,

February 9, 2007
Date

/Philip J. Pollick #19692/
Philip J. Pollick Reg. No. 29,692

KREMBLAS, FOSTER, PHILLIPS & POLLICK
P.O. BOX 141363
COLUMBUS OH 43214-6363
(614) 562-4280 (CELL)

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that the correspondence identified above is being EFS-Web or facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on 9 February 2007. Printed name of person signing: Philip J. Pollick.

Signature /Philip J. Pollick #29692/